

THE HONORABLE ROBERT J. BRYAN  
MAGISTRATE JUDGE DAVID W. CHRISTEL

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

EASTWEST GOLD CORPORATION,  
  
Plaintiff,  
  
v.  
  
INNOVATIVE REPAIRS, LLC,  
  
Defendant.

No. 3:19-cv-05442-RJB-DWC

ORDER GRANTING PLAINTIFF'S  
MOTION FOR JUDGMENT (DKT. 17) AND  
MOTION TO APPROVE CONSENT  
JUDGMENT (DKT. 18)

**ORDER AND JUDGMENT**

THIS MATTER comes before the Court on Plaintiff EastWest Gold Corporation's ("EastWest") Motion for Judgment (Dkt. 17) and Motion to Approve Consent Judgment (Dkt. 18). The Court has reviewed the motions (Dkts. 17, and 18), Confession of Judgment (Dkt. 17), attached Settlement Agreement (Dkt. 17, at 10, *et seq.*), Declarations of EastWest or its counsel (Dkts. 19, 20, and 21), EastWest's Reply brief and attached declarations (Dkts. 23, 24, and 25), and the records and files herein, including without limitation the consent herein. Although the Court renoted the instant motions to afford Defendant an opportunity to respond (Dkt. 22), Defendant did not file any response.

For good cause shown, the Court finds that the above confession is sufficient pursuant to RCW 4.60, *et seq.* to establish judgment against Defendant Innovative Repairs, LLC ("Innovative"). Innovative confesses judgment in favor of EastWest for money due and owing to

ORDER AND JUDGMENT BY CONFESSION  
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1 EastWest. Innovative has voluntarily and knowingly waived any and all rights to appeal the entry  
2 and/or enforcement of the Judgment and has also agreed that this Judgment may be entered without  
3 notice of presentation, provided that EastWest has fulfilled the notice of default requirements  
4 under the Settlement Agreement. Based on Innovative's admissions, the Court adopts as findings  
5 of fact that the Judgment entered herein is based upon Innovative having failed to tender full and  
6 prompt payment to EastWest as required by the Settlement Agreement entered into between  
7 Innovative and EastWest on October 18, 2019.

8 Now, therefore, it is hereby

9 ORDERED, ADJUDGED, AND DECREED that EastWest's Motion for Judgment (Dkt.  
10 17) and Motion to Approve Consent Judgment (Dkt. 18) are GRANTED;

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that EastWest is granted  
12 Judgment against Innovative in the principal amount of \$290,938.00 and prejudgment interest in  
13 the amount of \$105,045.00;

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that EastWest is authorized  
15 to obtain Writs of Garnishment and/or Writs of Attachment, directing the County Sheriff to execute  
16 on any of Innovative's non-exempt real or personal property and to execute against any real or  
17 personal property of Innovative not exempt from execution, as so permitted by Washington law  
18 regarding supplemental proceedings. All other rights are expressly reserved by EastWest.

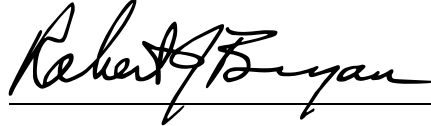
19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Judgment shall  
20 accrue interest at the rate of twelve percent (12%) per annum at all times until paid in full; and

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that EastWest may submit  
22 fee applications to this Court for an award of attorney fees and costs incurred as part of  
23 enforcement of the underlying action and EastWest's entry of this Judgment and for its efforts to  
24 collect on this Judgment in the future.  
25  
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1 The Clerk is directed to send uncertified copies of this Order to all counsel of record and  
2 to any party appearing *pro se* at said party's last known address.

3  
4 Dated this 20<sup>th</sup> day of May, 2020.

5  
6 

7 ROBERT J. BRYAN  
8 United States District Judge

9 Presented by:

10 PERKINS COIE, LLP

11  
12 By: s/ Mallory Gitt Webster  
13 Eric J. Weiss, WSBA No. 44807  
14 Mallory Gitt Webster, WSBA No. 50025  
Attorneys for Plaintiff EastWest Gold Corporation

15 Previously approved as to form and signed by Stephen A. Burnham, attorney for Defendant  
16 Innovative Repairs, LLC, as part of the October 18, 2019, Settlement Agreement filed as Ex. A to  
Confession of Judgment, ECF No. 17 (Apr. 24, 2020).